

U.S.A. vs NICK RAMOS-RODRIGUEZ (3)

No. 08CR1573-DMS

The Court finds excludable delay, under the section indicated by check (  ), commenced on 5/29/08 and ended on 8/22/08; (X7, XT1) \_\_\_\_\_ and ended on \_\_\_\_\_. ( )

3161(h)

- (1)(A) Exam or hrg for **mental or physical incapacity** A
- (1)(B) **NARA examination** (28:2902) B
- (1)(D) State or Federal trials or **other charges pending** C
- (1)(E) **Interlocutory appeals** D
- (1)(F) **Pretrial motions** (from flg to hrg or other prompt dispo) E
- (1)(G) **Transfers from other district** (per FRCrP 20, 21 & 40) F
- (1)(J) **Proceedings under advisement** not to exceed thirty days G
- Misc proc: Parole or prob rev, deportation, **extradition** H
- (1)(H) **Transportation** from another district or to/from examination or hospitalization in ten days or less 6
- X (1)(I) Consideration by Court of **proposed plea agreement** 7
- (2) **Prosecution deferred** by mutual agreement I
- (3)(A)(B) **Unavailability of defendant or essential witness** M
- (4) Period of **mental or physical incompetence** of defendant to stand trial N
- (5) Period of **NARA commitment or treatment** O
- (6) **Superseding indictment and/or new charges** P
- (7) **Defendant awaiting trial of co-defendant** when no severance has been granted R
- (8)(A)(B) **Continuances** granted per (h)(8)-use "T" alone if more than one of the reasons below are given in support of continuance T
- (8)(B)(I) 1) Failure to grant a **continuance** in the proceeding would result in a **miscarriage of justice** and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial.  
**(Continuance - miscarriage of justice)** T1
- X 2) Failure to grant a **continuance** of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted.  
**(Continuance - tendered a guilty plea)**
- (8)(B)(ii) 2) **Case unusual or complex** T2
- (8)(B)(iii) 3) **Indictment** following arrest **cannot be filed** in thirty (30) days T3
- (8)(B)(iv) 4) **Continuance** granted in order to obtain or substitute counsel, or give reasonable time to prepare  
**(Continuance re counsel)** T4
- 3161(I) Time up to **withdrawal of guilty plea** U
- 3161(b) **Grand jury indictment time extended** thirty (30) more days W

Date 5/29/08

MKS  
Judge's Initials